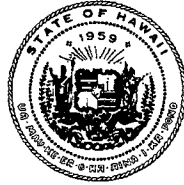


LINDA LINGLE  
GOVERNOR




DENISE M. WISE  
EXECUTIVE DIRECTOR

**STATE OF HAWAII**  
DEPARTMENT OF HUMAN SERVICES  
HAWAII PUBLIC HOUSING AUTHORITY  
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POST OFFICE BOX 17907  
Honolulu, Hawaii 96817

**BARBARA E. ARASHIRO**  
EXECUTIVE ASSISTANT  
IN REPLY PLEASE REFER TO:  
10:CPO/203

August 6, 2010

TO: Interested Parties

FROM: Rick T. Sogawa   
Acting Procurement Officer

SUBJECT: Request for Proposal No. CPO-2010-14, Addendum No. 2  
Professional Legal Services for the Kuhio Park Terrace and Kuhio Homes  
Redevelopment Project on the Island of Oahu

This addendum no. 2 is to provide responses to questions that were received at the Pre-Proposal Conference conducted by the Hawaii Public Housing Authority (HPHA) on July 8, 2010, up until July 15, 2010:

Questions:

- 1. It is not customary to submit financial statements in connection with proposals in response to solicitations, because we consider such information to of a confidential business nature. Is it possible to submit a non-disclosure agreement with the proposal for the HPHA to sign before a copy of the audited financials is submitted?**

As indicated in Section I., item VII., F.Exceptions, page 5, "Interested offerors shall list any exceptions taken to the terms, conditions, specifications, or other requirements listed herein. Interested offerors must reference the RFP section where the exception is taken, a description of the exception taken, and any proposed alternative. The HPHA shall retain the right to grant exceptions to discretionary policies. Requests for exceptions to State, Federal, or local laws shall not be approved."

- 2. Is it intended that the Office of the Attorney General, which represents the HPHA, will provide all necessary legal counsel with regard to matters of Hawaii law?**

Yes.

- 3. Would it be permissible to submit a proposal which is a joint venture our firm and a local firm, which would assist with local law matters?**

Yes.

3. **Would it be permissible to submit a proposal which is a joint venture our firm and a local firm, which would assist with local law matters?**

Yes.

4. **If we subcontract with a local firm, such firm will not be “employed” by us as provided in the RFP. Rather, we would expect that such firm would act as an independent subcontractor under our contract, and from a legal ethics perspective, would enjoy a direct attorney-client relationship with the housing authority. Is this agreeable to the HPHA?**

The Department of the Attorney General shall always require monitoring/oversight by the subject. The contracted firm is bound by all ethical rules re: confidentiality and any subcontractor as long as it is identified in the subcontract that the client is the HPHA.

5. **In regard to the requirements of the RFP on page 12, number 4, and page 13, number 6: It is our understanding that these requirements of companies that have offices and/or employees in the State of Hawaii. If an Offeror does not have offices or employees in the State, are we required to provide any of the forms listed, aside from the Compliant non-Hawaii business form? If we are required to provide the forms, do the forms need to be provided with our response or only after a successful award??**

As indicated in Section II., item II., A.4. Qualifying Requirements, page 12, “Interested offerors are advised that if awarded a Contract, the Successful Offeror must furnish proof of compliance with the requirements of section 3-122-112, HAR:

- Chapter 237, HRS, tax clearance;
- Chapter 383, HRS, unemployment insurance;
- Chapter 386, HRS, workers’ compensation;
- Chapter 392, HRS, temporary disability insurance;
- Chapter 393, HRS, prepaid health care; and
- One of the following:

- i. Be registered and incorporated or organized under the laws of the State of Hawaii (hereinafter referred to as a “Hawaii business”).

**Hawaii business.** A business entity referred to as a “Hawaii business” is registered and incorporated or organized under the laws of the State of Hawaii. As evidence of compliance, the interested offeror shall submit a CERTIFICATE OF GOOD STANDING issued by the Department of Commerce and Consumer Affairs Business Registration Division (BREG). A Hawaii business that is a sole proprietorship, however, is not required to register with the BREG, and therefore not required to submit the certificate. A Successful Offeror’s status as sole proprietor or other business entity and its business street address indicated on the Successful Offeror’s form page 1 will be used to confirm that the Successful Offeror is a Hawaii business.

- ii. Be registered to do business in the State of Hawaii (hereinafter referred to as a "compliant non-Hawaii business").

**Compliant non-Hawaii business.** A business entity referred to as a "compliant non-Hawaii business," is not incorporated or organized under the laws of the State of Hawaii but is registered to do business in the State. As evidence of compliance, the interested offeror shall submit a *CERTIFICATE OF GOOD STANDING*.

The above certificates should be applied for and submitted with the interested offeror's proposal to the HPHA. If a valid certificate is not submitted on a timely basis for award of a Contract, a proposal otherwise responsive and responsible may not receive the award."

6. **In order for us to sign Attachment 1 – Wage Certificate, we need to know what the wages are for public officers and employees of the State doing similar work to that of our lawyers and paralegals. Can you give us that information or tell us where to find it?**

The HPHA has determined that work to be done under this Contract is similar to various legal administrative positions; therefore the Successful Offeror shall be required to pay their employees the prevailing State wages for work performed under this Contract. The hourly wages paid to the State positions are:

<u>Class</u>	<u>Hourly Rate</u>
Legal Assistant II (BC-13/SR18)	\$18.74 (Eff. 10.01.2008)
Legal Assistant III (BC-13/SR20)	\$20.26 (Eff. 10.01.2008)
Legal Clerk (BC-03/SR14)	\$15.59 (Eff. 07.01.2008)
Legal Secretary (BC-03/SR18)	\$18.25 (Eff. 07.01.2008)

The current wage information is on the State of Hawaii's Department of Human Resource Development's website at the following address: <http://hawaii.gov/hrd/main/eccd/>

If you have any questions, please call contact Rick Sogawa, RFP Coordinator at (808) 832-6038. Thank you for your attention to this matter.

